



Privacy Notice 19C: Privacy Notice for Workforce

Monitoring and Review of this Document:

The Trust shall be responsible for reviewing this document from time to time to ensure that it meets legal requirements and reflects best practice



Ebor Academy Trust is an exempt charity regulated by the Secretary of State for Education. It is a company limited by guarantee registered in England and Wales, Registered Company Number 08806335, whose registered office is at Ebor Academy Trust, Ebor Business and Training Centre, The Leyes, Osbaldwick, York, YO10 3PR.

Ebor Academy Trust: One School, Many Sites

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Author: W. Harrington Head of Governance and Compliance

Date Created/updated: November 2024

Version Number: 3

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Privacy Notice Introduction

This privacy notice has been written to inform individuals we employ, or otherwise engage, to work at our schools or individuals who apply to work in our schools about how and why we process your personal data.

Ebor Academy Trust is the 'data controller' for the purposes of data protection law.

Data Protection Officer (DPO): Wendy Harrington

The role of the DPO is to monitor our compliance with the UK GDPR and the Data Protection Act 2018 and advise on data protection issues. If you would like to discuss this privacy notice or our use of your data, please contact us:

dpo@ebor.academy

Ebor Academy Trust, The Leyes, York, YO10 3PR

Phone: 01904 806806

What personal information do we collect?

The personal data we collect about you includes:

- personal information (such as name, employee or teacher number, national insurance number)
- characteristics information (such as gender, age and nationality)
- contract information (such as start date, hours worked, post, roles, pensions and salary information)
- work absence information (such as number of absences and reasons)
- training and qualifications (where relevant, subjects taught and employment records, including work history, job titles, working hours, training records, subjects taught and professional memberships)
- Vetting information (DBS, right to work in the UK)
- Next of kin and emergency contact information
- Relevant medical information if or when necessary
- identification documents (such as passport, birth certificate and driving licence)
- car registration
- Financial information including bank account details and tax status information
- Recruitment information, including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process
- Work related qualifications such as first aid and health and safety courses undertaken
- Performance information
- Outcomes of any disciplinary and/or grievance procedures
- Photographs
- Data about your use of the school's information and communications system
- References provided to other organisations
- DBS information
- CCTV footage
- Staff votes in governor elections

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- Records of communications and interactions we have with you.

Under Article 9 of the GDPR, we may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

- Characteristics such as race, ethnicity, religious beliefs and sexual orientation, marital status.
- Trade union membership (for example, if membership fees are deducted at source).
- Health, including any medical/disabilities information, and sickness records. This will include details relating to infection vulnerabilities.
- CCTV footage captured in school.
- For faith schools we may keep information about your religion

We may also collect, use, store and share (when appropriate) information about criminal convictions and offences.

We may also hold data about you that we have received from other organisations, including other schools and social services, and the Disclosure and Barring Service in respect of criminal offence data.

Why do we collect and use workforce data?

We use workforce data to:

- Meet our legal responsibilities as an employer.
- Enable the development of a comprehensive picture of the workforce and how it is deployed.
- Inform the development of recruitment and retention policies.
- Enable individuals to be paid and receive a pension if applicable.
- Enable the Trust to fulfil its responsibility to keep both pupils and staff safe.
- Support for individuals with a particular disability or medical condition.
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils.
- Support effective performance management.
- Allow better financial modelling and planning.
- Enable ethnicity, disability and other equality monitoring.
- Improve the management of workforce data across the sector.
- Support the work of the School Teachers' Review Body.
- Ensure we are providing a safe working environment with appropriately qualified staff.
- Manage our extra-curricular activities safely.
- Provide a service such as cash free catering and secure printing.
- Manage and protect public monies effectively.
- Assess the quality of our services.
- Promote our services to our pupils and their families.
- Provide and monitor a first-aid service.
- Comply with the law regarding education.
- Manage our data breach procedures.
- Manage our Disaster Recovery and Response procedures.
- Provide adequate insurance cover for our activities.
- Protect public health, such as complying with Test and Trace legislation.
- Protect staff welfare.
- Manage school governance.

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- Offer access to vaccinations.
- Make sure our information and communication systems, equipment and facilities (e.g. school computers) are used appropriately, legally and safely.

What is our lawful basis for processing your information?

We collect and use staff and volunteer information for a number of different reasons:

- Requirements of the Education Act 1996 and 2011
- The school workforce (SWF) census
- The School Staffing (England) Regulations 2009,
- Statutory guidance such as Keeping Children Safe in Education
- Equalities Act 2010
- Section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

Article 6 and Article 9 of the GDPR laws, provide some of the underpinning purposes for school's data collection.

Most commonly, we use it where we need to:

- Fulfil a contract we have entered into with you - Article 6(1)(b)
- Comply with a legal obligation - Article 6(1) (c)
- Carry out a task in the public interest - Article 6(1) (e) & 9(g)

Less commonly, we may also use personal information about you where:

- You have given us consent to use it in a certain way - Article 6(1)(a)
- We need to protect your vital interests for example, we will use this personal data in a life-or-death situation or during a pandemic - Article 6(1) (d)
- We need to fulfil a contract - Article 9 (b)
- archiving - Article 89

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent. If you change your mind or are unhappy with our use of your personal data, please let us know by contacting dpo@ebor.academy.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the school's use of your data.

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Some of the information we collect about you is classed as special category data under the UK GDPR.

The additional conditions that allow for processing this data are:

- Article 9(2)(a) - explicit consent
- Article 9(2)(b) - Employment, social security and social protection law
- Article 9(2)(g) - reasons of substantial public interest (with a basis in law)
- Article 9(2)(c) - we need to protect an individual's vital interests (i.e. protect your life)
- Article 9(2)(e) - the data concerned has already been made manifestly public by you
- Article 9(2)(f) - we need to process it for the establishment, exercise or defence of legal claims
- Article 9(2)(i) - public health (with a basis in law)
- Article 9(2)(j) - archiving, research and statistics (with a basis in law)

The applicable substantial public interest conditions in Schedule 1 of the Data Protection Act 2018 are:

- Condition 6 - statutory and government purposes
- Condition 8 - equality of opportunity or treatment
- Condition 9 - racial and ethnic diversity at senior levels
- Condition 10 - preventing or detecting unlawful acts
- Condition 12 - regulatory requirements
- Condition 14 - Preventing fraud
- Condition 16 - Support for individuals with a particular disability or medical condition
- Condition 18 - safeguarding of children and vulnerable people
- Condition 21 - occupational pensions

Criminal offence data

We will only collect and use criminal offence data when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

- We have obtained your consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation

Collecting workforce information

We collect personal information via HR recruitment, references, Disclosure and Barring Service (DBS), DfE, staffing and payroll systems.

Workforce data is essential for the Trust's operational use. Whilst the majority of personal information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with GDPR, we will inform you at the point of collection, whether you are required to provide certain

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information to us or if you have a choice in this and we will tell you what you need to do if you do not want to share this information with us.

Storing workforce information

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or di

We will dispose of your personal data securely when we no longer need it.

We create and maintain an employment file for each staff member. The information contained in this file is kept secure and is only used for purposes directly relevant to your employment.

Once your employment with us has ended, we will retain this file and delete the information in it in accordance with our Record Retention and Data Handling Policies. A copy of these and all school policies can be found on google drive. Paper copies can be requested from the Data Protection Officer.

We hold data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please contact the DPO (dpo@ebor.academy).

Who we share workforce information with

We routinely share this information with:

- our local authorities (where applicable)
- the Department for Education (DfE)
- HMRC

Why we share school workforce information

We share personal data with the Department for Education (DfE), OFSTED and LAs on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment of educational attainment.

We are required to share information about our workforce members with our local authority (LA) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

We will also share information with your pension providers. Where your data is outsourced to a third party processor who provides a service to us, for example: data entered onto iTrent or Integris, the same data protection standards that the school upholds are imposed on the processor. We will check that organisations comply with GDPR strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

We will not, without your express consent, provide your personal information to any third parties for the purpose of direct marketing.

In addition, where it is legally required, or necessary (and it complies with data protection law) we may share personal information about you with:

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- The trustees, leaders and Members of Ebor MAT and individual school Local Governing Bodies - to meet our legal obligations for such things as information about headteacher performance and staff hearings
- Your family or representatives in an emergency situation
- Educators and examining bodies
- Suppliers, software and service providers – to enable them to provide the service we have contracted them for, such as payroll or entry systems
- Financial organisations
- Our auditors
- Survey and research organisations
- Trade unions and associations
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants such as return to work advisors and occupational health
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Employment, supply and recruitment agencies
- Prospective employers requesting a reference
- Educational trip management providers
- PFI companies who hold staff contact and CCTV images (in schools managed by PFI companies)
- CPD providers training wider
- School photographers
- Other educational establishments we collaborate with. For example, the Virtual school to enable us to provide our educational provision
- Schools ICT to provide back-up computer services
- Our insurance brokers and companies who insure our activities, buildings and staff
- Staff absence insurers (SAS)
- Employee benefit providers (Sodexo)
- Other organisations requesting a reference-duplicate?
- The media including internal radio, press, and social media
- The diocese and York Diocesan Board of Education

- Online voting software companies for parent governor elections
- Charities and voluntary organisations
- Teacher trainees and work experience placements
- Apprenticeship providers

Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our children and young people with the Department for Education (DfE) for the purpose of those data collections, under; [Education \(Independent Educational Provision in England\) \(Provision of Information\) Regulations 2010](#).

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We are required to share information about our school employees with the (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

All data is transferred securely and held by DfE under a combination of software and hardware controls which meet the current [government security policy framework](#).

For more information, please see 'How Government uses your data' section.

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact *Clare Walters, Data Protection Officer (DPO)* via dpo@ebor.academy

Depending on the lawful basis above, you may also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- a right to seek redress, either through the ICO, or through the courts

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section of this notice.

Withdrawal of consent

If we need consent to hold your data, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting the school office.

Transferring data internationally

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

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Your rights

How to access personal information we hold about you

Individuals have a right to make a 'subject access request' to gain access to personal information that the school holds about them.

If you make a Subject Access Request, and if we do hold information about you, you can request us to:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact our Data Protection Officer.

Your other rights regarding your data

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- In certain circumstances, object to the use of your personal data if it would cause, or is causing, damage or distress where there is no compelling reason for its continued processing.
- Prevent your data being used to send direct marketing.
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, transferred or restrict processing.
- In certain circumstances, be notified of a data breach.
- Make a complaint to the Information Commissioner's Office.
- Claim compensation for damages caused by a breach of the data protection regulations.

To exercise any of these rights, please contact our Data Protection Officer.

Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our Data Protection Officer.

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Alternatively, you can make a complaint to the Information Commissioner's Office:
Report a concern online at <https://ico.org.uk/concerns/>
Call 0303 123 1113
Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

You may also wish to refer to our whistleblowing policy, copies of this can also be found in the google drive.

Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated in November 2024.

Contact

If you would like to discuss anything in this privacy notice, please contact: *Clare Walters, Data Protection Officer (DPO) via dpo@ebor.academy*

How Government uses your data

The workforce data that we lawfully share with the DfE through data collections:

- informs departmental policy on pay and the monitoring of the effectiveness and diversity of the school workforce
- links to school funding and expenditure
- supports 'longer term' research and monitoring of educational policy

Data collection requirements

To find out more about the data collection requirements placed on us by the Department for Education including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

Sharing by the Department

The Department may share information about school employees with third parties who promote the education or well-being of children or the effective deployment of school staff in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure that the confidentiality of personal data is maintained and there are stringent controls in place regarding access to it and its use. Decisions on whether DfE releases personal data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required

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- the level and sensitivity of data requested; and
- the arrangements in place to securely store and handle the data

To be granted access to school workforce information, organisations must comply with its strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department:

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact the department: <https://www.gov.uk/contact-dfe>

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